



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2320

(916) 322-5660 • Fax: (916) 322-0886

March 17, 2010

✓ Mr. Richard Dickerson
Dickerson for City Council

REDACTED

Ms. Betty Dickerson
Dickerson for City Council

REDACTED

**Warning Letter Re: FPPC No. 10/096, Dickerson for City Council; Richard Dickerson;
Betty Dickerson, Treasurer, Respondents**

Dear Mr. and Ms. Dickerson:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you that alleged you used campaign funds for a personal purpose when the committee made reimbursements to Betty Dickerson during the Dickerson for City Council campaign.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the allegation made by the complainant is unfounded in that the committee made reimbursements to Betty Dickerson for campaign-related expenditures. After our review of your campaign statements, we determined that the committee failed to itemize the expenditures made by Ms. Dickerson on behalf of the committee, but at our request the committee has amended its campaign statements to itemize those expenses.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18907 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

The Act provides that the a campaign committee is required to disclose the name, street address, amount of expenditure and a brief description of the consideration for which each expenditure of \$500 or more was made by an agent or contractor on behalf of the committee. (Section 84211(k)(6).) These payments, referred to as "subvendor payments," are reported on Schedule G of the Form 460. You were provided with an excerpt from the campaign disclosure manual that illustrates how subvendor payments are reported.

Another method by which the campaign can make expenditures is to dedicate a credit card for campaign purposes only. The committee can then charge expenditures on the campaign credit card, but the card must not be used for personal purposes and the committee pays the credit card vendor directly. (You can refer to Manual 2 for local candidates at page 6-22 for a discussion on payments through a credit card.)

Your actions violated the Act because the committee failed to itemize the expenditures made by Betty Dickerson on behalf of the committee. However, since you have amended your campaign statements and provided copies of invoices and billings substantiating the expenditures, we are closing this matter without action.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt